

SENATE CHAMBER, }
AUSTIN, TEXAS, Friday, April 14, 1871. }

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; quorum present.

Absent—excused—Senator Flanagan.

Prayer by the Chaplain.

On motion of Senator Gaines, the reading of the journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, April 14, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate bills No. 197, "An act to require the Clerk of the District Court of Lamar county to index the records in his office, and providing for his payment therefor;" No. 208, "An act to incorporate the San Antonio Bridge Company;" No. 218, "An act to amend an act entitled 'an act to consolidate in one act, and amend the several acts incorporating the city of Houston, in Harris county,' passed August 2, 1870;" and No. 299, "An act to incorporate the Navasota and Washington County Ferry Company," find the same to be correstly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received.

Secretary carried to the House Senate bills Nos. 197, 208, 218 and 299.

Report of Committee on Judiciary:

COMMITTEE ROOM,
AUSTIN, April 18, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 296, entitled "An act to incorporate the law department of the Texas University," after careful consideration, instruct me to

report the same back, and recommend its passage with accompanying amendments.

Respectfully,

A. J. FOUNTAIN,

Chairman.

Amendments of Judiciary Committee on Senate bill No. 296: Amend section one, line four, by inserting after the name of "C. S. West," the name of "C. B. Sabine;" amend section four, line eight, by inserting after the word "statute" the word "international;" amend section thirteen, line five, by striking out the word "school" and inserting the word "university."

On motion of Senator Ruby, the rules were suspended and the amendments reported by the committee adopted.

On motion of Senator Mills, the rules were further suspended and Senate bill No. 296 read second time.

Message from the House by the Chief Clerk informing the Senate that the House had passed Senate bill No. 345, "An act supplemental to an act to provide for the release of children or other persons, citizens of the State of Texas, who are, have been, or may hereafter be held as captives by the Indians," approved April 5, 1871."

Also, transmitting for concurrence House bill No. 395, "An act to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coasts and waters of this State."

House bill No. 349, "An act defining the powers and jurisdiction of the Criminal District Court of Galveston and Harris counties."

On motion of Senator Pettit, Senate bill No. 296 was made special order for Wednesday next at 11 o'clock A. M., and one hundred copies of the bill ordered printed.

Report of select committee to draft rules for the Senate while sitting as a high court of impeachment:

COMMITTEE ROOM,
AUSTIN, April 14, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Select Committee, who were instructed to draft and report to the Senate for its action, rules for the government of the Senate while sitting as a high court of impeachment, respectfully recommend that the rules adopted by the Senate of the United States in the trial of Andrew Johnson be adopted, with modifications, for the use of this Senate; and your committee further recom-

mend that they be authorized to have said rules modified and printed for the use of the Senate.

Respectfully,

A. J. FOUNTAIN,
Chairman.

On motion of Senator Fountain, the rules were suspended and the report adopted.

Under direction of the President the Secretary carried to the House the following bills, with the action of the Senate thereon:

House bill No. 250, "An act to authorize the city council of the city of New Braunfels to levy and collect a special tax," passed April 13.

House bill No. 553, "An act to incorporate the city of Tyler, and to provide for the administration of its municipal affairs," passed April 13, 1871.

Also, for signature of the Speaker, Senate enrolled bills as follows:

Senate bill No. 168, "An act to incorporate the Galveston and Denver City Air Line Railway," and to promote the construction thereof."

Senate bill No. 186, "An act to provide for the more permanent preservation of the graves in the State Cemetery at Austin, Texas."

Signed by the Speaker, returned to the Senate and signed by the President.

The following enrolled House bills were signed by the President of the Senate and returned to the House:

House bill No. 20, "An act to incorporate the Casino Society of Indianola."

House bill No. 15, "An act to incorporate the Casino Society of Yorktown."

House bill No. 400, "An act to incorporate the town of Burnet, in Burnet county."

BILLS AND RESOLUTIONS.

By Senator Pickett: a bill (Senate bill No. 351) to be entitled "An act to amend article 518 of an act entitled 'an act to adopt and establish a Code of Criminal Procedure,' approved August 26, A. D, 1856." Read first time and referred to the Committee on Judiciary.

By Senator Pyle: a bill (Senate bill No. 352) to be entitled "An act to relinquish to the county of Ellis the State taxes for the years 1871 and 1872, for the purpose of completing a court house and building a jail." Read first time and referred to Committee on State Affairs.

The following bills were taken from file, read first time and referred to the Committee on Judiciary:

House bill No. 349, "An act defining the powers and jurisdiction of the Criminal District Court of Galveston and Harris counties."

House bill No. 395, "An act to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coasts and waters of this State."

On motion of Senator Bowers, leave of absence for one week, commencing on Monday next, was granted to Senator Baker.

Senator Pickett moved that indefinite leave of absence be granted to Senator Mills, commencing one week from next Monday.

Pending discussion, the hour for special order arrived, 10:45 A. M., Senate bill No. 308, "An act to organize the Bureau of Immigration."

Senator Pickett moved that the consideration of the special order be postponed until the matter pending be disposed of. Motion lost.

Senator Parsons moved that the consideration of special order, Senate bill No. 308, be postponed to Monday, at 11 A. M. Lost.

The question being upon the adoption of the amendment of Senator Gaines to the following amendment reported by the Committee on Immigration: In section eight, line three, amend, after the word "Europe" add "not more than one agent for the United States and two for Europe; of the latter, one for Great Britain and one for the Continent." Amendment to the amendment: Amend by inserting "and one for Africa."

12 o'CLOCK M.

Pending discussion, the hour having arrived, the Senate resolved itself into a high court of impeachment for the trial of Wm. H. Russell, Judge of the Fifteenth Judicial District of the State of Texas.

HIGH COURT OF IMPEACHMENT.

Friday, April 14, 1871.

THE STATE OF TEXAS vs. WILLIAM H. RUSSELL.

The Court having been opened by proclamation,

Ordered, That the Secretary inform the House that the Senate is now sitting as a high court of impeachment, for the trial of William H. Russell, Judge of the Fifteenth Judicial District of the State of Texas, and is ready to proceed with said trial.

The managers attended.

The minutes of yesterday were then read and approved.

The managers interposed their demurrer to the answer of the de-

fendant, and thereupon offered their motion to postpone the trial of the case; whereupon, respondent, by his counsel, objected to the consideration of the motion for continuance until the demurrer interposed by the managers should be considered and disposed of by the court.

The Senators having retired for consultation, Senator Fountain, on the part of the Senate, submitted the following order:

It is ordered by the Senate, sitting as a high court of impeachment, that unless the managers of the House of Representatives prosecuting the articles of impeachment against William H. Russell, Judge of the Fifteenth Judicial District of the State of Texas, now pending before the aforesaid high court of impeachment, shall see proper to withdraw or abandon the demurrer to the answer of respondent, this day filed, that said demurrer shall be considered, after which the application of the managers for a continuance may be entertained.

The yeas and nays being taken on the adoption of the order, it was adopted.

Those who voted in the affirmative were Mr. President, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Evans, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pyle, Rawson, Ruby, Saylor, Shannon.—23.

Those who voted in the negative were Messrs. Douglass, Pickett, Pridgen, Tendick—4.

Senator Bowers moved that the high court of impeachment adjourn to Monday, April 17, at 12 o'clock M., which motion was agreed to.

The Sergeant-at-Arms, by order of the President, then closed the court by proclamation.

IN SENATE.

On motion of Senator Latimer, the Senate, at 2 o'clock P. M., adjourned to 10 o'clock A. M. on Monday.
